

EXHIBIT 2



BRIAN M. ARRIGO
Mayor

The City of REVERE, MASSACHUSETTS
BUILDING DEPARTMENT

249 R. BROADWAY, REVERE, MA 02151
(781)286-8196 • Fax (781) 284-1174

August 2, 2017

Via Service by Constable and Posting at the Property

Owner: Water's Edge Limited Partnership
c/o Evelyn M. Carabetta, Resident Agent
394 Ocean Avenue
Revere, MA 02151

Re: 364 and 370 Ocean Avenue, Revere, MA (generally being known as Ocean Shore Tower and the Ocean Village Tower)

Dear Sir or Madam:

In accordance with Chapter III, Sections 127A and 127B of the Massachusetts General Laws, 105 CMR 400:000: State Sanitary Code, Chapter I; 105 CMR 410:000: State Sanitary Code, Chapter II; Title 780 CMR, Title 248 CMR, Title 527 CMR and Chapter 148 of the Massachusetts General Laws, a voluntary inspection was made of 364 Ocean Avenue, Revere, Massachusetts and 370 Ocean Avenue, Revere, Massachusetts on January 3, 2017 and again on February 16, 2017. The property owner provided full access on both occasions. Conducting the inspection on behalf of the City on January 3, 2017 was Deputy Fire Chief Paul Cheever, Fire Chief Chris Bright, and Code Consultant Don E. Contois, P.E. of R.W. Sullivan Engineering. Present on behalf of the City on February 6, 2017 was Building Inspector Louis Cavagnaro, Building Inspector Benjamin DeChristoforo, Plumbing Inspector Mark Locke, Health Inspector Ricci LaCentra and Health Inspector John Ferrara. Present on behalf of the Owner, on both inspection dates, was George Murphy, Property Superintendent, and Fred Levitan, a representative of Water's Edge Limited Partnership.

Description of the Property: The subject Properties are commonly known and numbered as 364 Ocean Avenue, Revere, Massachusetts and 370 Ocean Avenue, Revere, Massachusetts, most commonly and generally known as the Ocean Shore Tower (364 Ocean Avenue) and Ocean Village Tower (370 Ocean Avenue), respectively. This is the same Property that is described in a Quitclaim Deed recorded at the Suffolk County Registry of Deeds in Book 11875, Page 340, and being registered with the Suffolk County Registry District of the Land Court as Document No. 394765 with Certificate of Title No. 98598 and Document No. 429814 with Certificate No.

101316.

The City's Parcel Identifiers for the Property as maintained by the Assessor's Office are as follows: 364 Ocean Avenue (8-160-161-1A) and 370 Ocean Avenue (8-160-161-1B).

The Properties are residential apartment towers with two sublevel garages exposed to the exterior. Both towers contain pools, a common room, and are serviced by two elevators per tower. **Note: Inspections of the individual apartment units did not occur and this report does not include any violations that may be contained within the individual units.**

You are hereby ordered to correct the following violations through full remediation of the below-listed violations:

364 Ocean Avenue

Upon inspection, it was observed that building is managed and maintained by a skeleton staff with no observed custodial/janitorial staff on duty. Based upon visual observations throughout the entire building, the lack of staff is likely contributing factor that the building did not appear well maintained and not regularly cleaned.

1. Exterior (See Exhibit A – Photographs of Violations)

- A. 105 CMR 410.602 (A) – Maintenance of Areas Free from Garbage and Rubbish:
The Property exhibits overgrown vegetation, rubbish, and debris. The Owner shall maintain the Property free from overgrown vegetation and plant growth. Furthermore, all garbage, rubbish, extensive amounts of broken glass and construction debris must be removed and properly disposed, on the rear of the Property. *See also* International Property Maintenance Code ("IPMC") § 302.4 (Weeds) and § 308.1 (Accumulation of Rubbish and Garbage), incorporated into the Massachusetts Building Code; *see also* Exhibit A – Photographs of Violations.
- B. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:
- i. Standpipe caps and the sprinkler test valve were missing covers on the exterior of the building. Additionally, the placards indicating "Fire Department Connection" and the operational pressure were also missing. Owner shall replace missing standpipe covers and missing placards.

2. Fire Panel Control Room (See Exhibit B – Photographs of Violations)

- A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
- i. At the time of the inspection, the fire alarm system was showing a trouble signal on the fire control panel. *See* NFPA 1 -2012 Edition (as modified by 527 CMR 1.05) § 1.1.4. Owner must provide documentation and have a test witnessed by the fire department to show the system is functioning properly. *See also* Exhibit B – Photographs of Violations.

- ii. All test reports for the various fire/life safety systems within the building need to be documented and maintained on-site. Copies of all test reports for the sprinkler system, fire pump, fire alarm system, smoke control/exhaust system, and the emergency generator must be made available for review by the City within 30 days of receipt of this Order to verify compliance with 527 CMR 1.00 § 1.1.4. *See also* Exhibit B – Photographs of Violations.
 - iii. The fire alarm control panel/command center is in a closet that hinders fire department operations. *See* 527 CMR 1.00 § 1.7.15.1. At a minimum, the door to the closet should swing outward to allow for the necessary room for fire department operations. *See also* Exhibit B – Photographs of Violations.
 - iv. The keys within the knox-box need to be updated since many areas of the building do not have keys, such as the box containing the fire department phone headsets within the fire command center. *See* 527 CMR 1.00 § 18.2.2.1. **Note: This issue occurs in many locations throughout the building and each instance is not noted in this report. All fire department keys must provide fire department access to the entire property and each key (if multiple keys are utilized) must be properly labeled.**
 - v. The fire alarm control panel/command center does not contain any sprinkler or smoke detection within the closet that could hinder or delay response. *See* 527 CMR 1.00 § 1.7.15.1. If a fire occurs within the closet, it could damage the alarm system and preclude or interfere with the fire department notification. *See also* Exhibit B – Photographs of Violations.
- B. 105 CMR 410.351 –Owner’s Installation and Maintenance Responsibilities:
- i. Multiple ceiling tiles were observed as missing or misplaced within the fire panel control room. All missing or damaged ceiling tiles must be replaced.

3. Pool and Adjacent Rooms (See Exhibit C – Photographs of Violations)

- A. 105 CMR 410.351 –Owner’s Installation and Maintenance Responsibilities:
- i. The electrical disconnect for air handling unit (AHU) is located within an unmarked closet. This disconnect should be moved as to not interfere with firefighting operations involving the equipment. *See* 527 CMR 1.00 § 1.7.15.1.
 - ii. Upon inspection, a light fixture in the pool area along the far wall was buzzing indicating that the ballast is failing. Owner shall repair or replace the light fixture.
 - iii. The vinyl louvers that are being utilized in the pool area are rated for outdoor use and not fire-rated for inside use. All louvers must be replaced with properly fire-rated louvers.

- iv. The saunas in both bathrooms within the pool area have been blocked off with wood boards. The temporary wood boards must be removed and the doors must be properly secured, in order to provide access in the case of an emergency.
- v. Numerous light fixtures in the pool area exhibit corrosion. All corroded light fixtures must be replaced.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The emergency phone within the pool area dials into 911 dispatch as 370 Ocean Avenue. This incorrect address could result in a delay in the finding of an emergency condition. This must be properly addressed to indicate the proper address. *See* 527 CMR 1.00 § 1.7.15.1.
- ii. The pool area has missing sprinkler coverage on the lower ceilings closest to the exterior windows/walls and in the bathrooms within the pool area. The Owner must install full sprinkler coverage as all high-rise buildings are required to have full sprinkler protection. *See also* M.G.L. c. 148, §26A½; *See Exhibit C – Photographs of Violations.*

C. 105 CMR 410.555 – Extermination of Insects, Rodents, and Skunks: Adjacent to the AHU unit in the pool area, large quantities of rodent feces were observed. Extermination of all rodents must be carried out in accordance with Section (D) of this provision of the State Sanitary Code. *See Exhibit C – Photographs of Violations.*

4. Law Office

No access was provided by the Owner at the time of inspection due to the lack of keys to gain access. *See violation above regarding lack of fire keys - 527 CMR 1.00 § 18.2.2.1.*

5. Lobby (See Exhibit D – Photographs of Violations)

A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The fire extinguisher in the lobby was missing an inspection tag and the safety pin. The extinguisher must be re-inspected and made safe by re-installing the pin. *See also* NFPA 10 § 7.2.
- ii. The closet in the lobby lacked sprinkler protection. The Owner must install full sprinkler coverage as all high-rise buildings are required to have full sprinkler protection. *See also* M.G.L. c. 148, §26A½.

B. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. The closet within the lobby had a missing outlet cover. This must be replaced. *See also* NFPA 70 § 314.25.

6. Garage – (See Exhibit E – Photographs of Violations and Copies of Reports)

- A. At the time of the inspection, the representatives from the Owner stated that the sprinkler system was functional but no test was conducted by the City personnel. Additionally, the Owner's representatives provided no documentation to evidence that the sprinkler systems was properly functioning. Owner must provide copies of all systems tests and system monitoring to the Revere Fire Department within 30 days of receipt of this Order. At the time of issuance, the City has received some copies of reports and those reports are discussed in the next section and hereby have been incorporated into this Order.
- B. The Owner has provided copies of the Annual Sprinkler Test dated 1/10/17, 1/13/17 and 1/16/2017 performed by New England Fire & Sprinkler Protection, Inc. evidencing issues with the water motor gong, issues with the jockey pump, multiple gauges that need to be replaced, no tamper on the 6" bypass OS&Y. The Reports also note that multiple tampers and flows failed and that the packing in the fire pump is corroded. The left side of the building failed the sprinkler test on all floors except the 9th, 10th, trash chute and standpipe. Additionally, the mainflow failed and was not received by the fire alarm panel. The poolside of the building also showed failures on the floors 2, 3, 13 and within the trash chute. The sprinkler system must be repaired to evidence full functionality. The deficiencies evidenced in the attached reports are hereby incorporated by reference into this Order. See Exhibit E.
- C. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
- i. The piping within the upper and lower levels of the garage was observed at the time of inspection to be incorrectly sloped in numerous areas causing potential for freezing. See also NFPA 13 § 8.16.2.3.1. Pipes need to be repaired or replaced.
 - ii. The sprinkler hangers in numerous areas within the upper and lower levels of the garage were observed to not be secured properly, with either crooked or missing fasteners. See also NFPA 13 § 9.1. Secure by repairing or replacing the fasteners.
 - iii. There were missing caps on the hose connections and standpipe connections within the upper and lower levels of the garage. All missing caps must be replaced and properly secured. See also NFPA 25 Table 6.1.2.
 - iv. An incorrect sprinkler head exists at the base of the North Stairwell to the lower level of the garage. The Owner must replace and install a properly-rated sprinkler head in this location. See also NFPA 13 § 8.3.1.1.
 - v. Sprinkler piping is contacting the structural elements and corroding in the lower garage level near the oil fuel pump. All corroding piping must be properly replaced and re-installed. See also NFPA 25 § 5.2.2.1.

D. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. On the upper level of the garage, the electrical conduit was not properly secured. Additionally, there was an electrical cord penetrating the gypsum ceiling with no fire stopping. Also, it was not clear from observation what the cord served or if it was approved for use in this manner. *See also* NFPA 70 Table 400.4. The electrical conduit must be properly secured and electrical cord must be properly secured or removed.
- ii. Large areas of the ceiling appeared to have been recently replaced. The City has no records of permits being obtained for the work. The Owner must secure permits for the work and it must be signed-off by City inspectors.
- iii. The spray fireproofing on the steel within the garage has been removed or fallen off in numerous locations on the lower level of the garage. *See also* 780 CMR Table 601. Additionally, the steel structure beneath the fireproofing exhibits significant corrosion in numerous areas of the lower level of the garage. Owner must reinstall or replace damaged fireproofing and must repair corroded steel structure.
- iv. There are extensive amounts of exposed wiring within the lower level of the garage outside of the elevator lobby. All exposed wiring must be made safe, properly capped and covered. *See also* NFPA 70 § 314.25.
- v. Fuel oil pump, controller and outlet are not properly secured to the wall on the lower level of the garage. The Owner must properly secure the fuel oil pump, controller and outlet to the wall. *See* 105 CMR 410.351.
- vi. The keys in the Fire Department knock-box did not provide access to the stairs on the lower level of the garage. *See violation above regarding lack of fire keys* - 527 CMR 1.00 § 18.2.2.1.
- vii. Sprinkler head pendant must be added to side stairs in the north stairwell. *See* 105 CMR 410.351.

7. Pump Room (Fire Suppression System) (See Exhibit F -- Photograph of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. Upon inspection, the pump room was unsecured. The Owner must install a locking handle to properly secure the door from unauthorized access. *See* 105 CMR 410.351.
- ii. There is no handle on the interior side of the door. The Owner must provide a handle on the interior of the door. *See* 105 CMR 410.351.
- iii. The back-up air compressor (i.e. jockey pump) was not connected at the time

of inspection. The Back-up air compressor must be properly connected. *See also NFPA 7 § 314.25; see also NFPA 25 § 5.5.1.*

- iv. The main jockey pump was running constantly upon inspection, indicating a possible leak in the system. The main jockey pump and supporting system must be investigated by a licensed professional and must be repaired or replaced. *See also NFPA 7 § 314.25; see also NFPA 25 § 5.5.1.*
- v. The fire pump has numerous maintenance issues including significant rusting and corrosion, leaking valves and broken gauges. All rusting and corrosion must be removed and properly remediated, including replacement, if deemed necessary by a licensed professional. Additionally, there was no tag on the system indicating the last testing date. Owner to provide and update all required tags with most recent testing dates within 30 days from the receipt of this Order. *See 105 CMR 410.351.*
- vi. Fire Department indicates that there are no permits on record for repairs to the OSY valve and the OSY valve is missing a tampering indicator that must be replaced. *See also 527 CMR 1.12.8.3*
- vii. The sprinkler replacement box was empty. The Owner must supply at least 6 replacement sprinkler heads and a wrench to correspond with the sprinkler heads installed throughout the building. *See also 527 CMR 13.3.1.1*
- viii. The fire pump room exhibited piping running through the wall without any fire protection material. *See also 780 CMR 913.2.*

8. Trash Compactor Room (See Exhibit G – Photographs of Violations)

A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The sprinkler heads in the trash compactor room are dirty and must be properly cleaned. *See also NFPA 72 Table 14.3.1; see also NFPA 25 § 5.2.1.1.1.; see also Exhibit F – Photograph of Violation.*

9. Recreation Room (2nd Floor) (See Exhibit H – Photographs of Violations)

The Owner's representatives stated at the time of the inspection that tenants of the building did not utilize this room. There were two restrooms and a workshop space utilized by the Owners.

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. Numerous ceiling tiles were missing from the women's restroom off the recreation room. All ceiling tiles must be replaced. *See also 527 CMR 1.00 § 1.7.15.1*
- ii. The workshop room was missing ceiling tiles. All ceiling tiles must be

properly re-installed. *See also* 527 CMR 1.00 § 1.7.15.1.

- iii. The workshop exhibited an electrical outlet that was not properly secured and dangling by the wires from the ceiling. The outlet must be properly installed and re-secured. *See also* 527 CMR 1.00 § 1.7.15.1.
- iv. The workshop room exhibited exposed wiring that must be made safe and capped. *See also* 780 CMR 103.1

10. Trash Room, Electrical Room and Laundry Room (2nd Floor) (See Exhibit I - Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The 2nd floor trash room has a light with no cover. The cover must be replaced. *See also* NFPA 70 § 314.25.
- ii. The electrical room on the 2nd floor contains power strips plugged into other power strips. The Owner must properly install the correct number of electrical outlets for the required use. *See also* 527 CMR 1.00 § 1.7.15.1.
- iii. The door of the 2nd floor trash room does not latch as required for a fire door. The Owner must properly install a door that latches as required. *See also* 780 CMR 708.13.3.
- iv. The dryer exhaust is crimped within the 2nd floor laundry room. The dryer exhaust and lint collection trays should be regularly inspected to be sure there are no obstructions or lint build up that could cause a fire. *See also* 527 CMR 1.00 § 1.7.15.1.

11. Roof and Elevator Control Room (See Exhibit J – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The motor for elevator has no cover. At the time of inspection, it was observed that electrical sparks were dangerously emanating from the motor. *See also* 527 CMR 1.00 § 1.7.15.1. The elevator motor should be inspected to determine the source of the sparks and the cover should be replaced. (Note: The City has a video of the motor emitting sparks from within the motor, which could not be attached to this report.)
- ii. The fire department key could not provide access to the elevator control room and there was no retainer on the door. As stated previously, the fire department key must provide access to all doors. Additionally a retainer must be installed.
- iii. The door to the elevator control room had a broken handle. The door handle

must be replaced.

- iv. Warning signs from the Commonwealth of Massachusetts Department of Public Safety were observed on the elevator master switches. However, both elevators were in operation. In utilizing the elevators to obtain access to the various locations within the building, the elevator was observed as "jumping" up and down during operation and "jumping" when it comes to a complete stop. Additionally, the inspection stickers within the elevator was out of date. The Owner shall seek immediate compliance for both elevators with the Department of Public Safety; *See also* IPMC §606.1.

- B. 105 CMR 410.602(B) – Maintenance of Areas Free from Garbage and Rubbish: A hypodermic needle was observed on the roof at the time of the inspection. The Owner shall make sure that roof is secured from unauthorized access and should be regularly checked.

12. 13th Floor (See Exhibit K – Photographs of Violations)

- A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:
 - i. The window in the common area adjacent to the elevator was cracked and broken. The windowpane shall be replaced.
- B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were with missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

13. 12th Floor (See Exhibit L – Photographs of Violations)

- A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:
 - i. At the time of the inspection, the stairwell door did not shut properly. All doors to the stairwells must properly shut.
 - ii. The manual pull station was obstructed by a fire extinguisher. *See also* NFPA 72 Table 14.3.1. The fire extinguisher needs to be re-installed to provide proper access to the pull station.
- B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

14. 11th Floor (See Exhibit M – Photographs of Violations)

- A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. The manual pull station was obstructed by a fire extinguisher. *See also* NFPA 72 Table 14.3.1. The fire extinguisher needs to be re-installed to provide proper access to the pull station.
- B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

15. 10th Floor (See Exhibit N – Photographs of Violations)

- A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:
 - i. The manual pull station was obstructed by a fire extinguisher. *See also* NFPA 72 Table 14.3.1. The fire extinguisher needs to be re-installed to provide proper access to the pull station.
 - ii. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.
- B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

16. 9th Floor (See Exhibit O – Photographs of Violations)

- A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:
 - i. The manual pull station was obstructed by a fire extinguisher. *See also* NFPA 72 Table 14.3.1. The fire extinguisher needs to be re-installed to provide proper access to the pull station.
 - ii. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.
- B. 105 CMR 410.451 – Egress Obstructions:
 - i. A shopping cart was located within the stairwell and blocking the egress through the stairwell. The shopping cart must be removed. *See also* 780 CMR 102.6.4.
- C. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

17. 8th Floor (See Exhibit P – Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. The manual pull station was obstructed by a fire extinguisher. *See also* NFPA 72 Table 14.3.1. The fire extinguisher needs to be re-installed to provide proper access to the pull station.
 - ii. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.
 - iii. The stairwell has a light with no cover. The cover must be replaced. *See also* NFPA 70 § 314.25.
- B. 105 CMR 410.482 - Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

18. 7th Floor (See Exhibit Q - Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. The door for the 7th floor electrical room exhibited damage to the door causing it not to shut properly. *See also* 780 CMR 715.4. The door must be replaced in its entirety so that it is properly secured.
 - ii. The light within the 7th floor electrical room was not functioning. *See also* 102.6.4. The light must be repaired or replaced.
- B. 105 CMR 410.482 - Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.
 - ii. The annunciator panel within the stairwell was loose and not properly secured. *See also* NFPA 72 Table 14.3.1. The Owner must properly secure the annunciator panel and confirm its functionality.
 - iii. The fire extinguisher for the 7th floor was missing and needs to be replaced. *See also* NFPA 72 Table 14.3.1.

19. 6th Floor (See Exhibit R - Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. The trash chute access door is broken. It must be repaired or replaced to provide proper access for the trash chute. *See also* 780 CMR 708.13.1.
- B. 105 CMR 410.482 - Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

20. 5th Floor (See Exhibit S – Photographs of Violations)

A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

21. 4th Floor (See Exhibit T – Photographs of Violations)

A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. The exit sign on the 4th floor was missing in its entirety. *See also* 780 CMR 102.6.4; *see also* 105 CMR 410.483. The exit sign must be replaced and properly re-installed.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

22. 3rd Floor (See Exhibit U – Photographs of Violations)

A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

23. Mechanical/Electrical Room (See Exhibit V – Photographs of Violations)

A. 105 CMR 410.190 – Hot Water:

- i. Upon inspection, the heating facilities and circulator pumps for hot water appears to be leaking in heavy quantities. The Owner shall provide and maintain in good operating condition the facilities capable of heating water. The Owner shall repair and replace any defective parts. *See also* 780 CMR 103.1
- ii. The City suspects that the above violation related to the heating facilities and circulator pump is contributing to the hot water issues ascertained by the City in numerous apartment units throughout the building. The City while conducting inspections for the issuance of Certificate of Fitness has identified numerous units (Units 508, 1008, 1002, 1201, 1110, 910, 405, 307, 304 & 208) with hot water less than the minimum 110 degrees Fahrenheit. *See previously issued Order to Correct included within Exhibit V.*

B. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. A large number of piping and connections for both the heating and hot water systems display large amounts of corrosion. All corroded parts must be cleaned or replaced. *See also 780 CMR 103.1*
- ii. The building appears to be utilizing a modified residential hot water heater for storage and distribution of hot water. This modified system might also be contributing to the lack of hot water that has been identified in multiple units. *See photograph evidencing hot water storage system; See also 780 CMR 103.1.*
- iii. The electrical room door is not self-closing. *See also 780 CMR 708.13.3.* The Owner must install a self-closing apparatus to the door.
- iv. The electrical room and mechanical room are not labeled with proper signage, which could delay fire department operations. All doors for mechanical and electrical rooms must be properly labeled. *See also 527 CMR 1.00, Section 1.7.15.1.*
- v. The back-up generator was unable to be tested upon inspection. The Owner shall provide test results and records of previous testing from a licensed testing company for the back up generator to evidence proper functionality within 30 days of receipt of this Order.

24. Other violations

A. 105 CMR 410.254 - Light in Passageways, Hallways, and Stairways:

- i. The lighting in numerous areas of the common hallways and stairwells were poorly lit and had broken fixtures or missing/non-functioning bulbs. The Owner shall provide light 24 hours per day so that illumination alone or in conjunction with natural lighting shall be at least one-foot candle as measured at the floor level, in every part of all interior passageways, hallways, foyers, and stairways. *See also 780 CMR 103.1.*

B. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. Upon observation, the entire building lacks posted emergency route placards on each floor.

C. 105 CMR 410.480 (C) - Locks:

- i. The main entry door was unlocked at the time of inspection. The Owner shall provide a main entry door so designed or equipped so as to close and lock automatically with a lock, including a lock with an electrically operated striker mechanism, a self-closing door and associated equipment. *See also M.G.L. c. 143 § 3R.*

D. 105 CMR 410.481 - Posting of Name of Owner:

- i. Owner shall post and maintain or cause to be posted and maintained on such

dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice constructed of a durable material, not less than 20 square inches in size, bearing its name, address, and telephone number of the managing partner shall be posted. Additionally, the manager or agent's name, address and telephone number shall also be included in the notice. *See also* M.G.L. c. 143 § 3S.

370 Ocean Avenue

1. Exterior

A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. Standpipe caps and the sprinkler test valve were missing covers on the exterior of the building. Additionally, the placards indicating "Fire Department Connection" and the operational pressure were also missing. Owner shall replace missing standpipe covers and missing placards.

2. Fire Panel Control Room (See Exhibit W – Photographs of Violations and Reports)

A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. All test reports for the various fire/life safety systems within the building need to be documented and maintained on-site. Copies all test reports for the sprinkler system, fire pump, fire alarm system, smoke control/exhaust system, and the emergency generator must be made available for review to verify compliance with 527 CMR 1.00 § 1.1.4.
- ii. The keys within the knox-box need to be updated since many areas of the building do not have keys, such as the box containing the fire department phone headsets within the fire command center. *See* 527 CMR 1.00 § 18.2.2.1. **Note: This issue occurs in many locations throughout the building and each instance is not noted in this report. All fire department keys must provide fire department access to the entire property and each key (if multiple keys are utilized) must be properly labeled.**
- iii. The fire alarm control panel/command center does not contain any sprinkler or smoke detection within the closet that could hinder or delay response. *See* 527 CMR 1.00 § 1.7.15.1. If a fire occurs within the closet, it could damage the alarm system and preclude or interfere with the fire department notification.

B. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The door for the fire alarm control room was damaged as it had been

previously pried open. The door must be replaced.

3. Pool and Adjacent Rooms (See Exhibit X – Photographs of Violations)

A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. There is no emergency lighting within the bathrooms in the pool area. Owner must provide emergency lighting in both bathrooms within the pool area.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The pool area has missing sprinkler coverage on the lower ceilings closest to the exterior windows/walls and in the bathrooms within the pool area. The Owner must install full sprinkler coverage as all high-rise buildings are required to have full sprinkler protection. *See also* M.G.L. c. 148, §26A 1/2; *see also* Exhibit X – Photographs of Violation.

4. Lobby

- A. At the time of inspection, the left elevator was out of service, possibly due to the Revere Fire Department having to force the door on 12/30/2016 to remove trapped occupants. The Owner must seek compliance with the all State Elevator laws. *See attached fire reports contained in Exhibit Y; See also* IPMC §606.1.

B. 105 CMR 410.480 (C) – Locks:

- i. The main entry door to the building was unlocked at the time of inspection. The Owner must provide shall provide a door so designed or equipped so as to close and lock automatically with a lock, including a lock with an electrically operated striker mechanism, a self-closing door and associated equipment, including but not limited to the intercom system. *See also* M.G.L. c. 143 § 3R.
- ii. The door to stairwell connecting to the lobby is not self-closing. The Owner must install or repair the self-closing mechanism. *See also* M.G.L. c. 143 § 3R.

C. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The lobby/commercial office area lacks a smoke detector. Owner shall install smoke detector in the lobby commercial office area.

5. Garage – (See Exhibit E – Photographs of Violations)

D. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. There is a cord within the garage lobby that appears to be for the heating of piping that was not plugged in. The Owner must either remove or properly wire the source of electrical cord. The Owner must confirm this heat tracing

was not for any fire protection system. *See also* NFPA 25 Section 4.1.1.1.

- ii. The latch of the door to garage from the main lobby has been modified and is not properly secured. *See also* 780 CMR 708.13.3. The locking mechanism or door must be repaired or replaced.
- iii. The spray fireproofing on the steel within in the garage has been removed or fallen off in numerous locations. All spray fireproofing must be re-applied. *See also* 780 CMR Table 601.
- iv. Numerous exit signs in the garage were not properly illuminated. The Owner must repair or replace all illuminated exit signs. *See also* 780 CMR 102.6.4.

A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. Some areas of sprinkler piping are not sloped properly and could potentially cause potential freezing issues. The Owner must ensure proper sloping for all sprinkler systems. *See also* NFPA 13 Section 8.16.2.3.1.
- ii. In the stairwell to the lower levels of the garage, the sprinkler valve is in the closed position. Owner to verify that valve should be closed.

6. Pump Room (Fire Suppression System) (See Exhibit Y – Photographs of Violations and Copies of Sprinkler Test Reports)

A. The Owner has provided copies of the Annual Sprinkler Test dated 1/10/2017 performed by New England Fire & Sprinkler Protection, Inc. evidencing issues with the water motor gong, issues with the jockey pump, lack of connections in the poolside stairwell and failed flow tests on Floors 3, 8, 10, 15, 16 and the Standpipe. The Reports also note that multiple tampers and flows failed and that the packing the fire pump needs to be replaced due to leaking. Additionally, a letter dated March 1, 2017 provides a list of numerous repairs that are required and hereby incorporated by reference into this Order. The Owner must repair or replace the sprinkler system to meet full compliance and functionality. *See Exhibit Y.*

B. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. Upon inspection, the pump room was unsecured. The Owner must install a locking handle to properly secure the door from unauthorized access.
- ii. The fire pump room has exposed wiring. All exposed wiring must be properly capped and covered. *See also* NFPA 70 § 314.25.
- iii. The fire pump has numerous maintenance issues including significant rusting and corrosion, leaking valves and broken gauges. All rusting and corrosion must be removed and properly remediated. *See* 105 CMR 410.351.

- iv. The sprinkler replacement box was missing sprinkler replacement heads and corresponding wrenches. The Owner must supply at least 6 replacement sprinkler heads to correspond with the sprinkler heads installed throughout the building and corresponding wrenches. *See also* 527 CMR 13.3.1.1

7. Recreation Room (2nd Floor) (See Exhibit Z – Photographs of Violations)

A. 105 CMR 410.451 – Egress Obstructions

- i. At the time of inspection, multiple non-functioning refrigerators and stoves were being stored in the recreation room in such a manner as to block multiple egress doors leading to stairwells. All refrigerators, stoves and egress obstructions must be removed and properly stored as to not block points of egress. *See Exhibit Z – Photographs of Violations.*

B. 105 CMR 410.280 (B) – Natural and Mechanical Ventilation

- i. The restrooms located within the recreation room did not have mechanical ventilation. The Owner must provide proper ventilation as required by this section.

8. Roof and Elevator Control Room (See Exhibit 1– Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The door into the penthouse is damaged and doesn't properly close. The door must be repaired or replaced. *See also* 527 CMR 1.00 Section 1.7.15.1.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The gauge at the top of the standpipe is showing 15 PSI. The Owner must verify proper flow and pressurization at the roof level. *See also* NFPA 25 Table 6.1.1.2. *See Exhibit 1 – Photograph of Violations*

9. 16th Floor (See Exhibit No. 2 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.

- ii. The trash chute access door is broken. The Owner must repair or replace the trash chute access door. *See also* 780 CMR 708.13.1.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.
- ii. The smoke detector within the 16th Floor common hallway was loose and hanging from the ceiling. The smoke detector must be properly secured. *See*

also NFPA 72 Table 14.3.1.

10. 15th Floor (See Exhibit No. 3 – Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. Electrical room door was bent diminishing fire protection. The door shall be repaired or replaced.
 - ii. Air vent in hallway was covered with dust and debris. All air vents must be cleaned and properly maintained.
- B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also NFPA 25 Table 6.1.2.*
 - ii. The fire extinguisher for the 15th floor was missing and needs to be replaced. *See also NFPA 72 Table 14.3.1.*
- C. 105 CMR 410.451 – Egress Obstructions:
 - i. At the time of inspection, furniture was observed in the hallways. The Owner must maintain all passageways free from obstructions. *See also 780 CMR 102.6.4.*

11. 14th Floor (See Exhibit No. 4 – Photographs of Violations)

- A. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also NFPA 25 Table 6.1.2.*

12. 13th Floor (See Exhibit No. 5 – Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. The trash chute access door is broken. The Owner must repair or replace the trash chute access door. *See also 780 CMR 708.13.1.*
- B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also NFPA 25 Table 6.1.2.*
 - ii. The fire extinguisher for the 13th floor was missing and needs to be replaced. *See also NFPA 72 Table 14.3.1.*

13. 12th Floor (See Exhibit No. 6 – Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. The lights in the hallway and trash room were not functioning at the time of the inspection. The Owner must repair or replace the lights.
 - ii. The trash chute access door is broken. The Owner must repair or replace the trash chute access door. *See also* 780 CMR 708.13.1.
- B. 105 CMR 410.482 - Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.
- C. 105 CMR 410.503 - Protective Railings and Walls:
 - i. The stairwell between the 12th and 11th floor was missing a baluster. The Owner must repair or replace the missing baluster.

14. 11th Floor (See Exhibit No. 7 – Photographs of Violations)

- A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:
 - i. The lights in the hallway and trash room were not functioning at the time of the inspection. The Owner must repair or replace the lights.
 - ii. The light was not functioning in the crossover stairwell between the 11th and 10th floor. *See also* 780 CMR 102.6.4.
 - iii. Exposed wiring was observed in the electric room. All exposed wiring must be properly capped and covered. *See also* 780 CMR 102.6.4; *see also* NFPA 70 Section 314.25.
- B. 105 CMR 410.482 - Smoke Detectors and Carbon Monoxide Alarms:
 - i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.
 - ii. The fire extinguisher for the 11th floor was missing and needs to be replaced. *See also* NFPA 72 Table 14.3.1.
- C. 105 CMR 410.451 - Egress Obstructions:
 - i. At the time of inspection, a shopping cart and vacuum was observed in the exit stairwell. The Owner must maintain all passageways free from obstructions. *See also* 780 CMR 102.6.4.

15. 10th Floor (See Exhibit No. 8 – Photographs of Violations)

- A. 105 CMR 410.482 - Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

16. 9th Floor (See Exhibit No. 9 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The exit sign was missing. *See also* 780 CMR 102.6.4. The exit sign must be replaced and properly installed and illuminated.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- ii. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

17. 8th Floor (See Exhibit No. 10 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The stairwell door did not properly shut due to pads preventing full closure of the door. The Owner must remove all door obstructions so that the door can properly shut. *See also* 780 CMR 1022.3.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

18. 7th Floor (See Exhibit No. 11 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The vent covers in the main hallway were observed as being covered in large quantities of dust and debris. All vent covers must be properly cleaned.
- ii. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.
- iii. The electrical outlet in common hallway has gaps between the outlet and wall. The wall must be repaired. *See also* NFPA 70 Section 314.25.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

C. 105 CMR 410.451 – Egress Obstructions:

- i. At the time of inspection, a shopping cart was observed in the exit stairwell. The Owner must maintain all passageways free from obstructions. *See also* 780 CMR 102.6.4.

19. 6th Floor (See Exhibit No. 12 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

20. 5th Floor (See Exhibit No. 13 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The fire extinguisher for the 15th floor was missing and needs to be replaced. *See also* NFPA 72 Table 14.3.1.

21. 4th Floor (See Exhibit No. 14 – Photographs of Violations)

A. 105 CMR 410.351 - Owner's Installation and Maintenance Responsibilities:

- i. The exit sign was loose and not properly illuminated near the South stairwell. *See also* 780 CMR 102.6.4. The exit sign must be properly installed and illuminated.
- ii. The electrical room had power strips plugged into power strips. The Owner must provide proper number of outlets for required use.
- iii. The Laundry room relay was missing its cover and was bent open. The Owner must repair or replace the missing cover.

B. 105 CMR 410.482 – Smoke Detectors and Carbon Monoxide Alarms:

- i. The sprinkler head within the crossover on the 4th and 5th Floor was not installed. The sprinkler head must be properly installed. *See also* NFPA 13 Section 8.3.1.1.

- ii. The hose connections and standpipe connections in the stairwells were missing caps. All missing caps must be replaced and properly secured. *See also* NFPA 25 Table 6.1.2.

C. 105 CMR 410.451 – Egress Obstructions:

- i. At the time of inspection, a wooden objects were in the hallway blocking the egress path. The Owner must maintain all passageways free from obstructions. *See also* 780 CMR 102.6.4.

22. Mechanical Room (See Exhibit No. 15 – Photographs of Violations)

A. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. The electrical room door is not self-closing. *See also* 780 CMR 708.13.3. The Owner must install a self-closing apparatus to the door.
- ii. The electrical room and mechanical room are not labeled with proper signage, which could delay fire department operations. All doors for mechanical and electrical rooms must be properly labeled. *See also* 527 CMR 1.00, Section 1.7.15.1.
- iii. The back-up generator was unable to be tested upon inspection. The Owner shall provide test results and records of previous testing from a licensed testing company for the back up generator to evidence proper functionality.

23. Other violations

A. 105 CMR 410.254 – Light in Passageways, Hallways, and Stairways:

- i. The lighting in numerous areas of the common hallways and stairwells were poorly lit and had broken fixtures or missing/non-functioning bulbs. The Owner shall provide light 24 hours per day so that illumination alone or in conjunction with natural lighting shall be at least one-foot candle as measured at the floor level, in every part of all interior passageways, hallways, foyers, and stairways.

B. 105 CMR 410.351 – Owner's Installation and Maintenance Responsibilities:

- i. Upon observation, the entire building lacks posted emergency route placards on each floor.

C. 105 CMR 410.480 (C) – Locks:

- i. The main entry door was unlocked at the time of inspection. The Owner shall provide a main entry door so designed or equipped so as to close and lock automatically with a lock, including a lock with an electrically operated striker mechanism, a self-closing door and associated equipment. *See also* M.G.L. c. 143 § 3R.

D. 105 CMR 410.481 – Posting of Name of Owner:

- i. Owner shall post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice constructed of a durable material, not less than 20 square inches in size, bearing its name, address, and telephone number of the managing partner shall be posted. Additionally, the manager or agent's name, address and telephone number shall also be included in the notice. *See also* M.G.L. c. 143 § 38.

Order

This Order contain in excess of 175 violations. These violations must be abated and corrected immediately and the Owner must notify this office to schedule a re-inspection. If the violations are not corrected, the City may issue daily tickets pursuant to this Order in the amount of \$500.00 per day for each violation of the State Sanitary Code that has been identified.

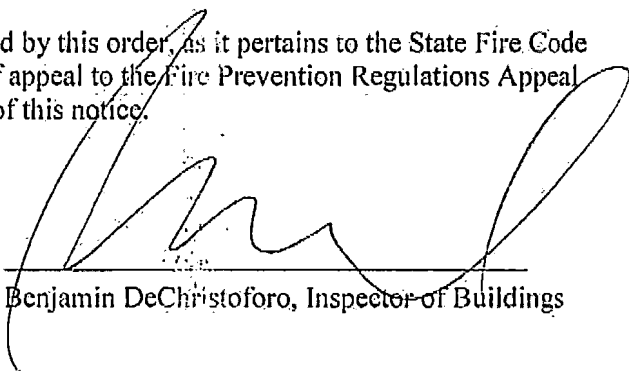
Appeal Rights

Should you be aggrieved by this order, as it pertains to Sanitary Code Violations, you have the right to request a hearing before the Board of Health. A request for said hearing must be received in writing in the office of the Board of Health within seven (7) days of receipt of this notice. You have the right to be represented at the hearing and any affected party has the right to appear at said hearing. You also have a right to inspect and obtain copies of all relevant inspection or investigation reports, orders, notices and other documentary information in possession of the Board of Health.


Additionally, should you be aggrieved by this order, as it pertains to State Building Code violations, you have the right to request a hearing before the Board of Building Regulations and Standards' Building Code Appeal Board. A request for said hearing must be received in writing in the office of the Board of Building Regulations and Standards' Building Code Appeal Board within forty-five (45) days after service of this notice.

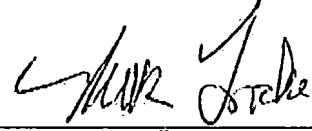
Furthermore, should you be aggrieved by this order, as it pertains to the State Fire Code violations, you may submit an application of appeal to the Fire Prevention Regulations Appeal Board within 45 days following the service of this notice.

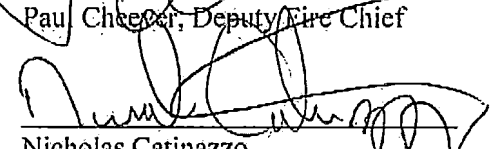


Ricci LaCentra, Health Code Inspector

Benjamin DeChristoforo, Inspector of Buildings


Paul Cheever, Deputy Fire Chief


Mark Locke, Plumbing Inspector


Nicholas Catinazzo
Director of Municipal Inspections

***Este es un documento importante legal. Puede afectar sus derechos. Usted deb  tenerlo
traducido***

cc: First Tower Funding, LLC
c/o Evelyn M. Carabetta, Resident Agent
394 Ocean Avenue
Revere, MA 02151
(*via constable*)

Bank of New England
31 Pelham Road
Salem, NH 03079
(*via priority mail return receipt requested*)

New York Community Bank
615 Merrick Avenue
Westbury, NY 11590
(*via priority mail return receipt requested*)